

DECISION MEMO
JEFFREY LEWIS PRIVATE ROAD AUTHORIZATION &
ROAD 743 & 7180 MAINTENANCE & USE
U.S. FOREST SERVICE
MENA-ODEN RANGER DISTRICT
POLK COUNTY, ARKANSAS

BACKGROUND

The purpose of this project is to provide access to private land surrounded by National Forest System (NFS) land on three sides and Irons Fork Creek on the fourth side. Mr. Jeffrey Lewis has requested to construct and maintain a 12 foot width, subgrade, native/gravel surface road across NFS land to access private property located in Section 21, T1S-R29W, Polk County Arkansas. The authorized road would be approximately 1,320 feet in length, extending from NFS Road 7180. The road will be constructed within a right-of-way 30 feet in width and encumber approximately 0.9 acres of NFS lands. A gate will also be installed at landowner expense at the junction of the newly constructed driveway and NFS Road 7180. Associated actions include the harvest of merchantable pine and hardwood timber within the road corridor. In order to access the constructed road, Mr. Lewis will require year-round access on portions of NFS Roads 743 and 7180, which are not displayed on the most current (2019) Motor Vehicle Use Map MVUM; they are closed to public motorized use.

DECISION

I have decided to allow Mr. Jeffrey Lewis to construct, use, and maintain a road and gate across NFS land in Sections 21 and 22, T1S-R29W, Polk County Arkansas to access his private property as described in the Background section above. I also authorize the maintenance and year-round use of the portions NFS Road 743 and 7180 between Polk County road 70 (Posey Hollow Road) and the authorized road. These roads will not be displayed on the MVUM; they will remain closed to public motorized use.

This activity falls into a category of actions that may be excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA), which the Chief of the Forest Service has determined will not have a significant effect on the human environment:

Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land. (36 CFR 220.6(e)(3))

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency

procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The project “may affect, likely to adversely affect” the northern long-eared bat; however, there are no effects beyond those previously disclosed in the programmatic biological opinion on implementing the final 4(d) rule dated January 5, 2016, signed by Lynn Lewis. Any taking that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR Section 17.40(o)). The project will have “no impacts” on the sensitive Irons Fork burrowing crayfish and “beneficial impacts” on the sensitive monarch butterfly. (Project specific Biological evaluation and review was completed September 9, 2019). Concurrence was received September 24, 2019.
- Flood plains, wetlands, or municipal watersheds – there are no floodplains or jurisdictional wetlands within the project area and none will be impacted by project activities; the project area does occur within a municipal watershed. Activities are not expected to impact the municipal water supply. The proposed action is modeled to have a short term contribution of 0.18% increase in sediment above the current condition in the first year of implementation, after which sediment inputs would decrease (Aquatic Cumulative Effects model).
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – none are present within the project area; none will be affected.
- Inventoried roadless areas or potential wilderness areas – none are present within the project area; none will be affected.
- Research natural areas – none are present within the project area; none will be affected.
- American Indians and Alaska Native religious or cultural sites – none are present within the project area; none will be affected.
- Archaeological sites, or historic properties or areas – none are present within the project area; none will be affected. District Archeologist reviewed existing surveys and consultation for the area or potential effects and determined that this action will have no effect on historic properties in a memorandum signed August 6, 2020.

PUBLIC INVOLVEMENT

A notice of the proposed action was mailed to subscribers of the District’s NEPA projects on September 2, 2020, soliciting comments on the project. No responses were received from the public.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Revised Forest Plan as required by the National Forest Management Act.

ADMINISTRATIVE REVIEW (OBJECTION) OPPORTUNITIES

Decisions that are categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) are not subject to an administrative review process (pre-decisional objection process) (Agriculture Act of 2014, Subtitle A, Sec. 8006).

IMPLEMENTATION DATE

The project may be implemented immediately.

CONTACT

For additional information concerning this decision, contact Jennifer Benefield at 479-394-2382, 1603 Hwy 71 North, Mena, AR 71953.

/s/ *Lori Bell* for

9/23/2020

Troy Heithecker
Forest Supervisor

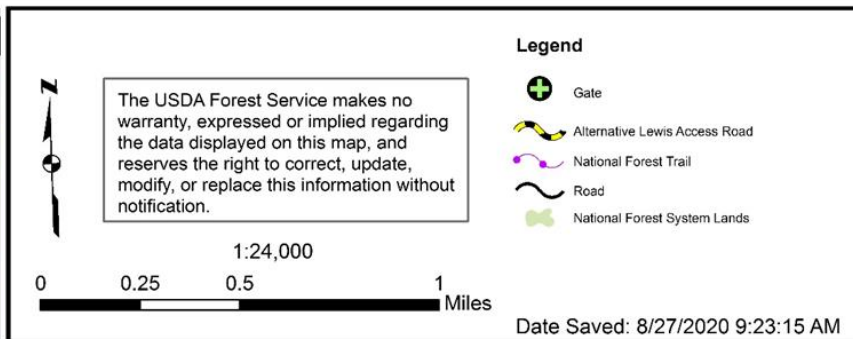
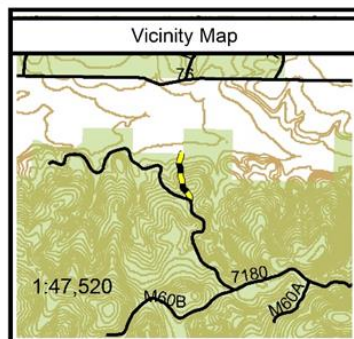
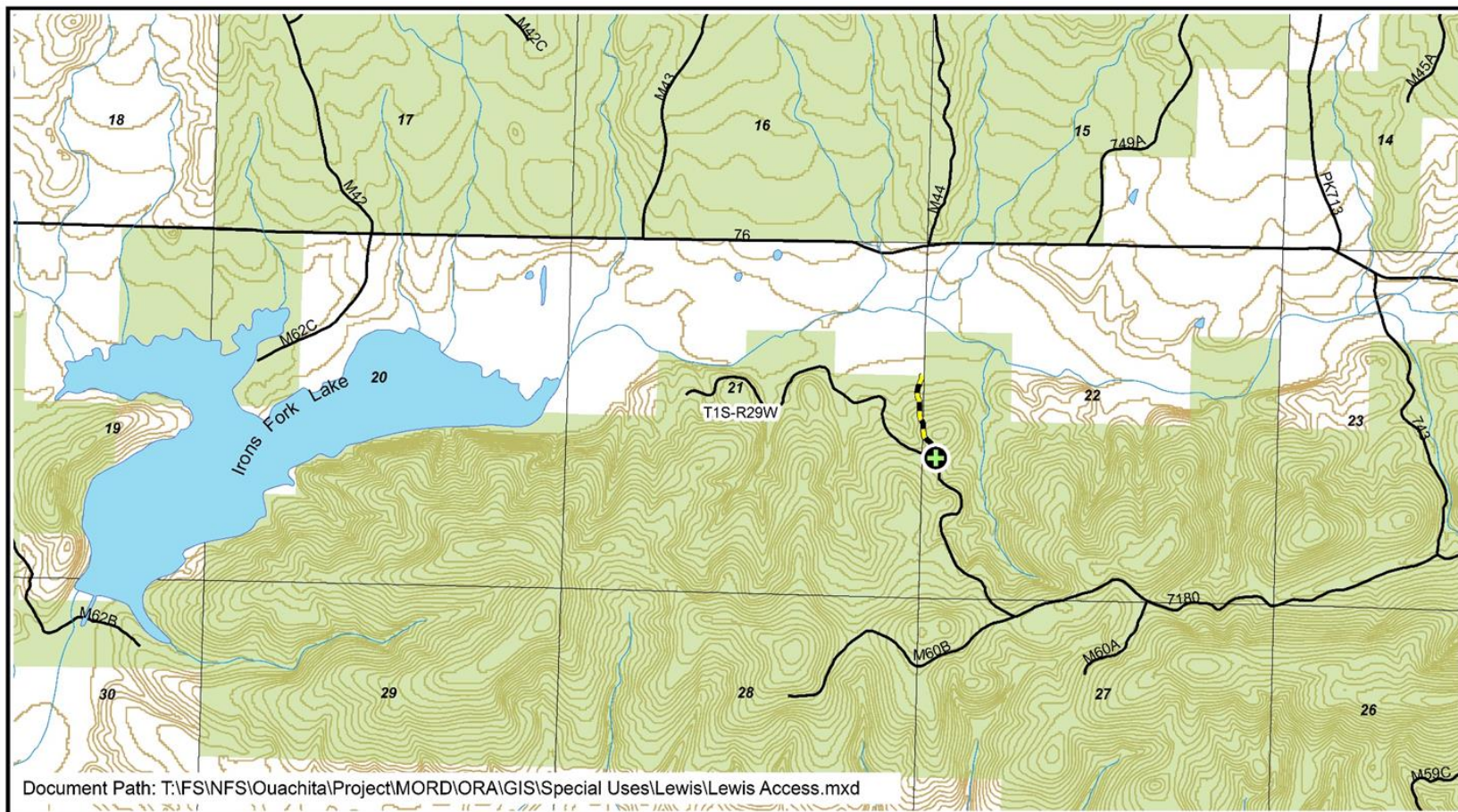
Date

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USDA is an equal opportunity provider, employer and lender.



Special Use Permit
Lewis Access Road
Mena-Oden Ranger District Polk County, Arkansas
U.S. Forest Service - R8 Ouachita National Forest
For more information, contact the Mena Ranger District at 1603 Hwy. 71 North, Mena, AR or phone (479) 394-2382